

PATENT

#6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: BERNHARDT ET AL 2 PCT

SERIAL NO: 10/512,737 / CONF. # 1552

PCT SERIAL #: PCT/EP03/03973

PCT FILING DATE: APRIL 16, 2003

TITLE: TRANSPORT SYSTEM IN BIOLOGICAL SYSTEMS

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
\$371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

MAIL STOP: PCT
 Commissioner for Patents
 P.O. BOX 1450
 ALEXANDRIA, VA. 22313-1450

Dear Sir:

In response to the enclosed "Notification of Missing Requirements Under 35 U.S.C. §371 in the United States Designated/Elected Office (DO/EO/US)", dated MAY 2, 2005, submitted herewith is the duly executed DECLARATION and POWER OF ATTORNEY, and a certified copy of the English Language translation along with a check in the amount of \$260, to cover the surcharge for the late filing of the Declaration (\$130), and of the Translation (\$130).

Also enclosed is Preliminary Amendment, along with a check for \$150 for payment of 3 extra claims (3 X \$50).

02/EO/2005 GFREY1 00000060 10512737

02 FC:1617 130.00 OP
 02 FC:1618 130.00 OP

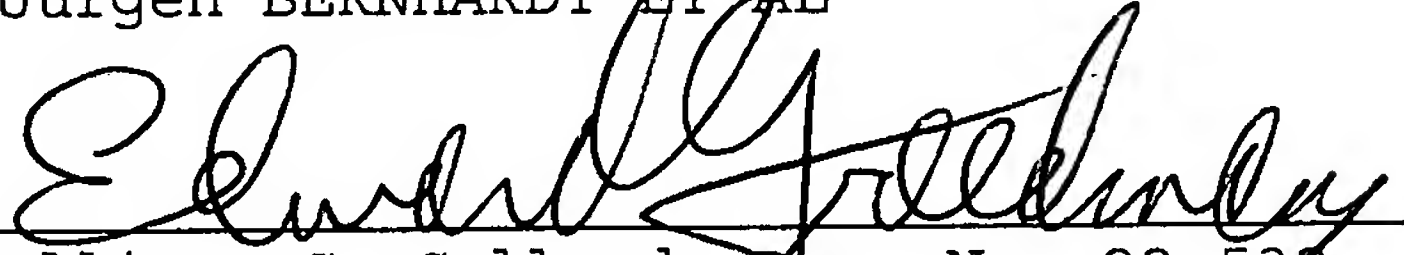
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Also enclosed is an Information Disclosure Statement, along with PTO form 1449 and the International Search Report.

Any fee deficiencies may be charged to deposit account 03-2468.

Respectfully submitted,
Jürgen BERNHARDT ET AL

By:


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Encls: Check in the amount of \$260.00
Executed Declaration
Copy of "Notice to File Missing Parts ..."
Certified English Language Translation
Preliminary Amendment
Information Disclosure Statement

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
COMMISSIONER OF PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450 on June 14, 2005.


Maria Quastella

Rec'd PCT/PTO 16 JUN 2005



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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/512,737	Jurgen Bernhardt	BERNHARDT ET AL 2 PCT

INTERNATIONAL APPLICATION NO.
PCT/EP03/03973

25889
WILLIAM COLLARD
COLLARD & ROE, P.C.
1077 NORTHERN BOULEVARD
ROSLYN, NY 11576

I.A. FILING DATE	PRIORITY DATE
04/16/2003	04/29/2002

CONFIRMATION NO. 1552
371 FORMALITIES LETTER



OC000000015902633

Date Mailed: 05/02/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/27/2004
- Copy of the International Search Report filed on 10/27/2004
- Copy of IPE Report filed on 10/27/2004
- Copy of Annexes to the IPER filed on 10/27/2004
- Biochemical Sequence Listing filed on 10/27/2004
- Request for Immediate Examination filed on 10/27/2004
- U.S. Basic National Fees filed on 10/27/2004
- Priority Documents filed on 10/27/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$260 for a Large Entity:

- \$130 Late oath or declaration Surcharge.
- \$130 for English translation surcharge required.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Additionally the following defects have been observed:

- The translations of Annexes are canceled since the translations were not submitted prior to 30 months from the priority date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/512,737	PCT/EP03/03973	BERNHARDT ET AL 2 PCT

FORM PCT/DO/EO/905 (371 Formalities Notice)